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## Remarks

This is intended as a full and complete response to the Office Action dated September 24, 2003, having a shortened statutory period for response set to expire on December 24, 2003. Please reconsider the claims pending in the application for reasons discussed below.

## Specification

In the specification, the paragraphs and have been amended to correct minor editorial problems. These primarily include the addition of omitted reference numbers.

## Drawings

In the drawings, Figures 2 and 3A have been amended. Figure 2 was amended to add the legend --(Prior Art)-- under --Figure 2--. In Figure 3A, the previously omitted reference numeral --320-- has been added.

## Claims

Claims 1-20 remain pending in the application and are shown above.  
Claims 1-20 are rejected.

Claims 1, 3-10 and 12-20have been amended, as shown above.

### 1. Amendments to Claims 1, 3-4, 9-10, 12-14 and 15-20

Amendments have been made to claims 1, 3-10, 12-14 and 15-20 in order to clarify the inventions or to correct matters of form. The amendments have been approved by the Examiner per Interview with Attorney James Sheridan conducted on November 24, 2003.

Concerning claim 1, the format of the limitations has been modified. In addition, certain grammatical improvements have been offered. The language of the "groove region" limitation has been modified to more clearly describe the

invention, and to describe a function, "weaken the sleeve" already inherent in the language submitted.

Regarding claims 3, 9 and 10, the word --region-- has been added after --groove--. This conforms to the terminology of base claim 1, and does not change the scope of the claims.

Concerning claim 4, the phrase "axially extent of the counterplate" has been changed to --counterplate thickness--. In this manner, claim 4 is consistent with the embodiments of Figures 3A and 3B, and with the discussion in Para. 0023.

The preamble of each of dependent claims 14-19 has been corrected. The term "spindle motor" has been replaced with --bearing-- to conform to base claim 12. These amendments are not intended to narrow the scope of the claims.

In addition, concerning claim 12, the phrase "the arm" has been changed to --an arm-- to conform to traditional claim drafting practice. The language relating to the "groove" limitation has been modified to more clearly describe the invention.

Concerning claim 13, the phrase "grooved region" has been replaced by --groove--. This is consistent with the term --groove-- used in base claim 12. The scope of the claim is not intended to be changed by this amendment.

Concerning claim 19, the dependency has been changed from "2" to --12--. In addition, the term "shoulder" has been replaced by --arm--. This is consistent with the term --arm-- used earlier in base claim 12.

Finally, concerning independent claim 20, the term "wall" has been replaced by --axial shoulder--. This is consistent with the term --axial shoulder-- used earlier in the same independent claim.

## **2. Rejection of Claims 1-4, 11-14 and 19 Under Section 103(a) as Being Unpatentable over Pool, et al. in view of Teshima, et al.**

Claims 1-4, 11-14 and 19 have been rejected under 35 USC §103(a) as being unpatentable over Pool, et al. in view of Teshima, et al. The Pool, et al.

reference is U.S. Patent No. 6,305,439, which issued in 2001. The Teshima, et al. reference is U.S. Patent No. 5,744,882, which issued in 1998.

Applicant presumes that the Examiner is basing the Section 103(a) rejection on Section 102(e)(2). Under this assumption, Applicant would show that the named Assignee of the '439 Pool, et al. reference is Seagate Technology, LLC. Applicant attaches hereto a Statement of Common Ownership, establishing that the subject matter of the various claims was likewise owned by Seagate Technology, LLC at the time the inventions of the pending claims were made.

Applicant respectfully submits that the cited '439 Pool, et al. patent is not citable prior art, and that claims 1-4, 11-14 and 19 are thus allowable.

Withdrawal of the Section 103(a) rejection is respectfully requested.

**3. Rejection of Claims 9, 10, 17 and 18 Under Section 103(a) as Being Unpatentable over Pool, et al. in view of Teshima, et al. and Further in View of Heine, et al.**

Claims 9, 10, 17 and 18 have been rejected under 35 USC §103(a) as being unpatentable over Pool, et al. in view of Teshima, et al. and further in view of Heine, et al. The Pool, et al. reference is U.S. Patent No. 6,305,439, which issued in 2001. The Teshima, et al. reference is U.S. Patent No. 5,744,882, which issued in 1998. The Heine, et al. reference is U.S. Patent No. 5,635,540, which issued in 1997.

For the reasons discussed above, the cited '439 Pool, et al. patent is not citable prior art. Accordingly, claims 9, 10, 17 and 18 are also allowable.

Withdrawal of the Section 103(a) rejection is respectfully requested.

**4. Rejection of Claim 20 Under Section 103(a) as Being Unpatentable over Pool, et al. in view of Heine, et al.**

Claim 20 has been rejected under 35 USC §103(a) as being unpatentable over Pool, et al. in view of Heine, et al. The Pool, et al. reference is U.S. Patent

No. 6,305,439, which issued in 2001. The Heine, et al. reference is U.S. Patent No. 5,635,540, which issued in 1997.

For the reasons discussed above, the cited '439 Pool, et al. patent is not citable prior art. Accordingly, claim 20 is also allowable.

Withdrawal of the Section 103(a) rejection is respectfully requested.

Applicant would again note that in independent claim 20, the term "wall" has been replaced by --axial shoulder--. This is consistent with the term --axial shoulder-- used earlier in the same independent claim. This amendment is not in response to the Section 103(a) rejection.

### **5. Rejection of Claims 5-8, 15 and 16 Under Section 112, Second Paragraph**

In Paragraph 3 of the Office Action the Examiner rejected claims 5-8, 15 and 16. These claims were rejected under Section 112, second paragraph. In response, Applicant has amended these claims.

Concerning claim 5, the term "groove" has been changed to --groove region--. In addition, the phrase "sleeve arm" has been changed to --shoulder of the sleeve--. In this manner, claim 5 is consistent with the terminology of base claim 1. Also in claim 5, the "thrust plate" has been removed, and replaced with - -sleeve--. This is to make claim 5 consistent with the embodiments of Figures 4A and 4B, and with the discussion in Paras. 0023-0027. However, the scope of the claim is not intended to be narrowed.

Concerning claim 6, the term "groove" has been changed to --groove region--. In this manner, claim 6 is consistent with the terminology of base claim 1. The grammar of the claim has also been modified. However, the scope of the claim has not been narrowed.

Concerning claim 7, the term "groove" has been changed to --groove region--. In addition, the phrase "sleeve arm" has been changed to --shoulder of the sleeve--. In this manner, claim 7 is consistent with the terminology of base claim 1. However, the scope of claim 7 has not been narrowed.

Concerning claim 8, the term "groove" has been changed to --groove region--. In this manner, claim 8 is consistent with the terminology of base claim

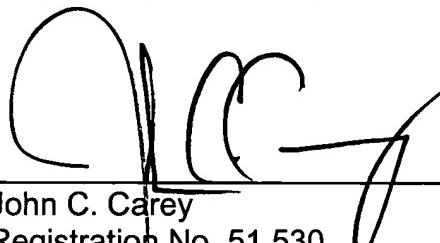
1. Also in claim 8, the "thrust plate" has been removed, and replaced with "sleeve--. This is to make claim 8 consistent with one embodiment described in Para. 0027 of the Specification. However, the scope of the claim has not been narrowed.

Finally, concerning claims 15 and 16, Applicant respectfully disagrees with the Section 112 rejections. The term "groove" is supported by independent base claim 12. Thus, the rejection is traversed.

### **Conclusion**

Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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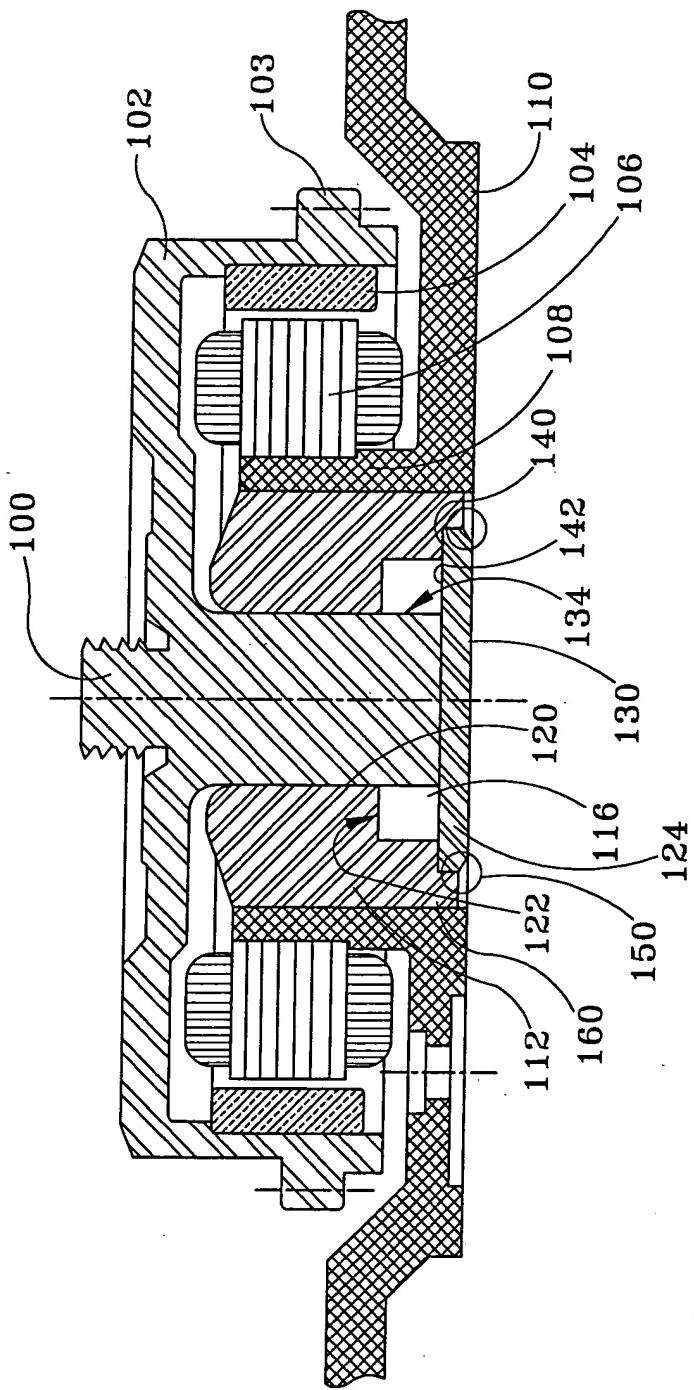


Figure 2  
(Prior Art)



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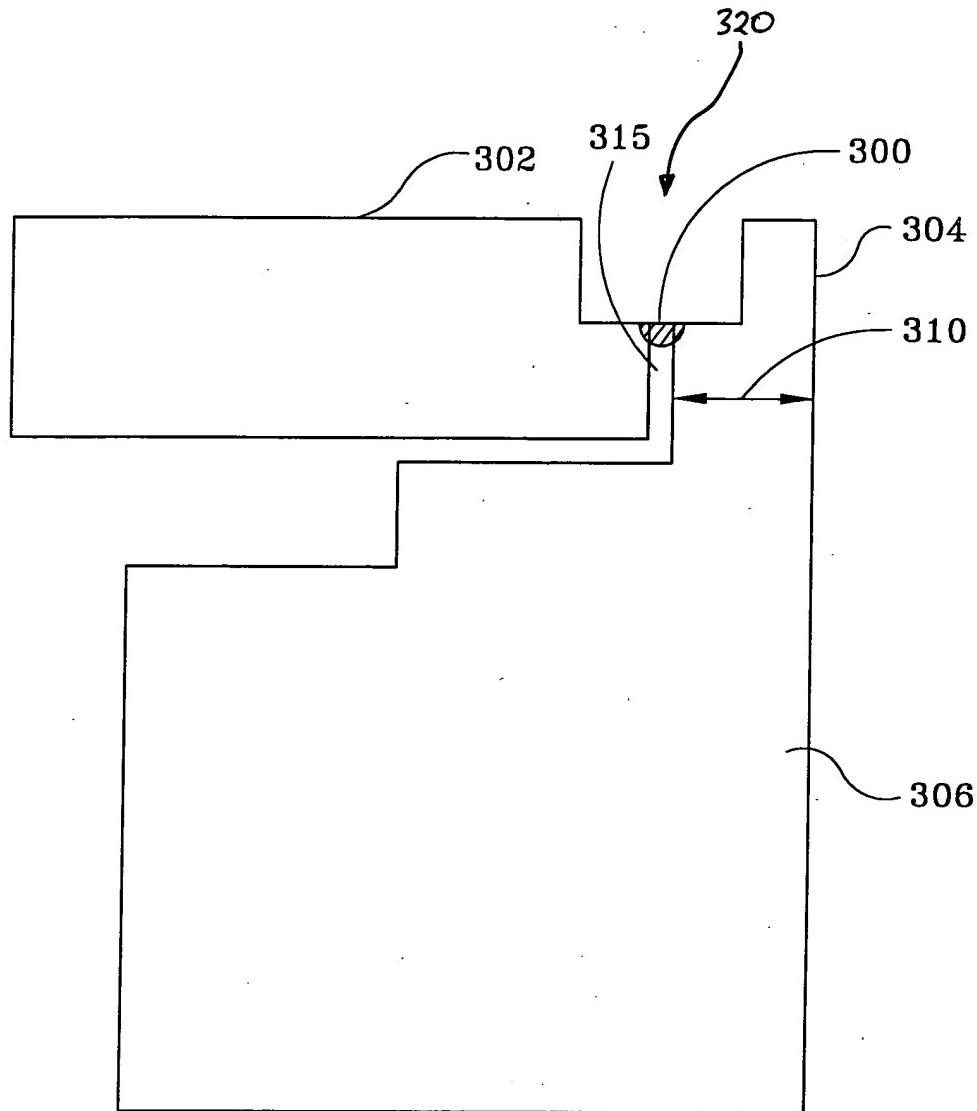


Figure 3A